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2 BILL NO. R-80-01- 10

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4 RESOLUTION NO. R- 06-80

5 A RESOLUTION AUTHORIZING EMPLOYMENT  
6 OF FIRM FOR FEASIBILITY STUDY OF  
7 CITY OF FORT WAYNE ACQUISITION OF  
8 ELECTRIC UTILITY SYSTEM AND AUTHORIZING  
APPOINTMENT OF AD HOC COMMITTEE  
TO NEGOTIATE CONTRACT.

9 WHEREAS, the Common Council of the City of Fort Wayne  
10 has by Appropriation Ordinance No. A-19-79 appropriated  
11 accounts to the current budget for consultant services being  
12 Account No. 4-02-010-002-4267 in the sum of \$75,000.00; and,

13 WHEREAS, said Appropriation Ordinance A-19-79  
14 provided that the expenditure from said appropriation shall  
15 be to fund a study of the legality and feasibility of a  
16 petition filed with the Common Council pursuant to  
17 IC 8-1-2-99 et seq., petitioning the Common Council of Fort  
18 Wayne to acquire, purchase, and/or condemn the presently  
19 operating electric utility system in order to, in its place  
20 establish, own and operate a municipally owned electric  
21 utility; and,

22 WHEREAS, said Common Council has received a legal  
23 opinion from the firm of Chapman and Cutler establishing the  
24 legality of said petition; and,

25 WHEREAS, the Attorney for the Common Council has been  
26 authorized to request the submission of a bill for such  
27 legal study which said Attorney has submitted to said Chapman  
28 and Cutler; but which bill has not as yet been submitted; and,

29 WHEREAS, it is expedient and necessary at this time to  
30 employ the services of a firm to study the feasibility of  
31 said acquisition, purchase and/or condemnation of the presently  
32 operating utility system in order to, in its place, establish,  
33 own and operate a municipally owned electric utility and  
34 said Common Council has heretofore authorized an ad hoc  
35 committee to receive and consider data from candidates for

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2 employment as consultants for a feasibility study and to  
3 recommend to said Common Council that the Common Council  
4 employ one of said firms as a consultant for such feasibility  
5 study; and,


6 WHEREAS, said ad hoc committee has met on several  
7 occasions and considered data submitted by candidates as con-  
8 sultants to the City of Fort Wayne in respect to the feasibility  
9 of such petition and said ad hoc committee has recommended  
10 the employment of the firm of R.W. Beck and Associates, of  
11 6535 E. 82nd Street, Indianapolis, Indiana 46250 as such  
12 consultants.

13 NOW THEREFORE BE IT RESOLVED BY THE COMMON COUNCIL  
14 OF THE CITY OF FORT WAYNE:

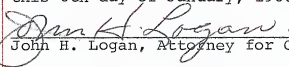
15 Section 1. That the report and recommendation  
16 of the ad hoc committee of the Common Council  
17 of the City of Fort Wayne, Indiana be concurred  
18 in by this Common Council and that the President  
19 of said Common Council be authorized to  
20 appoint an ad hoc committee to negotiate a  
21 contract with R.W. Beck and Associates, 6535  
22 E. 82nd Street, Indianapolis, Indiana 46250  
23 to conduct a feasibility study concerning  
24 acquisition, purchase and/or condemnation of  
25 the presently operating utility system in  
26 order to in its place establish, own and operate  
27 a municipally owned electric utility and in  
28 said contract be authorized to pay a sum not  
29 to exceed \$60,000.00 for such services and  
30 to require that such services be completed  
31 in time sufficient to comply with placement of  
32 a referendum on the petition for acquisition,  
33 purchasing and/or condemning the presently  
34 operating electric utility system in order to  
35 in its place establish, own and operate a

1  
2 a municipally owned electric utility on  
3 the ballot at a general election to be held  
4 with the Primary Election in May of 1980.

5 Section 2. BE IT FURTHER RESOLVED, that  
6 Mr. Bernard T. Perry, Certified Public  
7 Accountant, be and he is authorized to  
8 consult with said R.W. Beck and Associates  
9 as to any legal assistance they may require  
10 and report this to said Common Council.

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14 Councilman  
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30 Approved as to form and legality  
31 this 8th day of January, 1980.

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33 \_\_\_\_\_  
34 John H. Logan, Attorney for Common Council  
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Read the first time in full and on motion by \_\_\_\_\_,  
seconded by \_\_\_\_\_, and duly adopted, read the second time  
by title and referred to the Committee \_\_\_\_\_ (and the City  
Plan Commission for recommendation) and Public Hearing to be held after  
due legal notice, at the Council Chambers, City-County Building, Fort Wayne,  
Indiana, on \_\_\_\_\_, 19\_\_\_\_, the \_\_\_\_\_ day of \_\_\_\_\_,  
at \_\_\_\_\_ o'clock \_\_\_\_\_ M., E.S.T.

DATE: \_\_\_\_\_

CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Aties,  
seconded by Aties, and duly adopted, placed on its  
passage. PASSED (LOST) by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT	TO-WIT:
TOTAL VOTES	<u>8</u>	<u>0</u>	<u>1</u>	_____	_____
BURNS	_____	<u>X</u>	<u>X</u>	_____	_____
EISBART	<u>X</u>	_____	_____	_____	_____
GIAQUINTA	<u>X</u>	_____	_____	_____	_____
NUCKOLS	<u>X</u>	_____	_____	_____	_____
SCHMIDT, D.	<u>X</u>	_____	_____	_____	_____
SCHMIDT, V.	<u>X</u>	_____	_____	_____	_____
SCHOMBURG	<u>X</u>	_____	_____	_____	_____
STIER	<u>X</u>	_____	_____	_____	_____
TALARICO	<u>X</u>	_____	_____	_____	_____

DATE: 1-8-80

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL)  
(APPROPRIATION) ORDINANCE (RESOLUTION) No. B-06-80  
on the 8th day of January, 19 80.

ATTEST:

(SEAL)

Civian J. Schmidt

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 9th day of January, 19 80, at the hour of  
11:30 o'clock A. M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 9th day of Jan.,  
19 80, at the hour of 4:00 o'clock P. M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

## Memorandum

To Mayor Robert E. Armstrong

Date 11-29-79

From Charles W. Westerman - City Clerk

Subject Appearance before Common Council 12-4-79

### COPIES TO:

Pursuant to the request of the Common Council, the presence of Henry P. Wehrenberg, Chairman of the Board of Public Works and Edmund Stanczak, Jr., Superintendent of City Utilities, is respectfully requested on December 4, 1979, 7:30 P.M., Common Council Conference Room 128.

At this time Common Council would like to be briefed on the Administration's flood control proposals.

Your cooperation will be greatly appreciated.

*Carol Achleman*

## Memorandum

To Mayor Robert E. Armstrong

Date 12-6-79

From Charles W. Westerman - City Clerk

Subject Appearance before Common Council 12-11-79

### COPIES TO:

Common Council is requesting the presence of Henry P. Wehrenberg, Chairman of the Board of Public Works and Edmund Stanczak, Jr., Superintendent of City Utilities, on December 11, 1979, 7:00 P.M., Common Council Conference Room 128.

At this time Common Council would like to be briefed on the Administration's flood control proposals.

Your cooperation will be greatly appreciated.

*Carol Ackleman*

## Memorandum

To Mayor Robert E. Armstrong Date 12-12-79  
From Charles W. Westerman - City Clerk  
Subject Appearance before Common Council 12-18-79

### COPIES TO:

Pursuant to the request of the Common Council, the presence of Henry P. Wehrenberg, Chairman of the Board of Public Works, is respectfully requested on December 18, 1979, 7:30 P.M., Common Council Conference Room.

If possible Common Council would appreciate it greatly if Mr. Wehrenberg could find a few minutes from his busy schedule to personally brief them on the Administration's flood control proposals.

Thank you for your kind consideration.

*Carol Achleman*